THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10696 of 2007

Dated: 04-06-2007

Between:

Thotakura Hari Kishore Babu.

..... PETITIONER

AND

The Mandal Revenue Officer, Kankipadu Mandal, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10696 of 2007

ORDER:

The petitioner is allegedly owner of land admeasuring Ac.0.72 in survey Nos.136/3, 136/4 and 138/1,2 situated at Kankipadu Village and Mandal, Krishna District, having purchased the same under registered sale deed dated 30.09.1996. He also obtained pattadar passbooks and title deeds from the revenue authorities. Nonetheless first respondent, namely, the Mandal Revenue Officer (MRO) initiated action under Section 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity) and issued a notice to the petitioner to show-cause as to why the land should not be resumed for contravention of

Section 3 of the Act. The petitioner submitted explanation and the matter is still pending. The petitioner, however, alleges that when the matter is still pending, first respondent without passing orders is taking steps to dispossess him and that the owners of the adjacent lands were dispossessed even while the matter was pending before MRO. On such reasonable apprehension (as alleged in para 3 of the affidavit accompanying the writ petition) the petitioner filed instant writ petition seeking appropriate relief.

There is no denial that notice in Form II under Rule 3 of the Andhra Pradesh Assigned (Prohibition of Transfer) Rules, 1977 (the Rules, for brevity) was issued and the petitioner has already submitted explanation. Therefore, this Court does not countenance the submission that without following due process, the petitioner is being dispossessed. However, to dispel any such doubt, first respondent may pass orders after considering the explanation submitted by the petitioner within a period of two weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

04th June, 2007
ghn